

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ANDERSON/GREENWOOD DIVISION

Travis Mandell Kemp, aka Travis Kemp,)
formerly # 276921,)

C.A. No. 8:09-2756-TLW-BHH

Plaintiff,)

vs.)

ORDER

Jerry Peace, Greenwood County Solicitor's)
Office; Jane H. Merrill, Solicitor,)

Defendants.)

The *pro se* plaintiff filed this action pursuant to Title 42, United States Code, Section 1983 in October, 2009. (Doc. # 1). This matter is now before the undersigned for review of the Report and Recommendation ("the Report") filed by United States Magistrate Judge Bruce Howe Hendericks, to whom this case had previously been assigned pursuant to 28 U.S.C. § 636(b) and Local Rule 73.02(B)(2) (D.S.C.). (Doc. # 46). In her Report, Magistrate Judge Hendricks recommends that this case be dismissed without prejudice and without issuance and service of process. Additionally, The Report recommends that the above-captioned case be deemed a "strike" for purposes of the "three strikes" rule of 28 U.S.C. §1915(g). No objections to the Report have been filed.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. No objections have been filed to the Report. In the absence of objections to the Report and Recommendation of

the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

A review of the record indicates that the Report accurately summarizes this case and the applicable law. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report is **ACCEPTED** (Doc. # 8), and this case is dismissed without prejudice and without issuance and service of process. Additionally, as recommended in the Report and without objection by the plaintiff, the above-captioned case is deemed a "strike" for purposes of the "three strikes" rule of 28 U.S.C. §1915(g).

IT IS SO ORDERED.

s/ Terry L. Wooten
TERRY L. WOOTEN
UNITED STATES DISTRICT JUDGE

December 16, 2009
Florence, South Carolina